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said topsheet, said backsheet and said absorbent core being assembled together to form a layered assembly including a front region, a back region, and a crotch region disposed between said front region and said back region, said layered assembly having a longitudinal plane that extends substantially centrally through said, front, back and crotch regions;

wherein each of said front and back regions further includes at least a pair of ear portions extending in substantially opposite lateral directions with respect to said longitudinal plane, and

wherein at least one of said ear portions includes a layered section comprising
an outer material layer having an inside surface and an outside surface,
and
an elastic stretchable non-permanently elongated member extendible between a contracted configuration and an extended, non-permanently elongated configuration, said inside surface being secured to a corresponding surface of said stretchable member when said stretchable member is disposed in an extended configuration and said outside surface is disposed in a substantially planar configuration, such that said outer material layer is subsequently contractible then extendible with said stretchable member and such that said outside surface is returnable to said substantially planar configuration without permanent elongation of said outer material layer and said stretchable non-permanently elongated member.

Please cancel Claim 2.

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3. (Amended) The garment of Claim 1, wherein said outside surface is returned to said substantially planar configuration when said stretchable member extends from a contracted configuration to an extended configuration.

Please cancel Claim 4.

11. (Amended) The garment of Claim 1, wherein said layered section further includes a second outer material layer secured to a surface of said stretchable member generally opposite to said corresponding surface of said stretchable member, and wherein said stretchable member is disposed between said first outer material layer and said second outer material layer, said first and second outer material layers being secured to said stretchable member when said stretchable member is disposed in said extended configuration such that said first and second outer material layers are subsequently contractible then extendible with said stretchable member.

15. (Amended) A disposable absorbent garment comprising:
a layered core assembly including a topsheet, a backsheet, and an absorbent core positioned between said topsheet and said backsheet; and
at least a pair of extendible ear assemblies positioned on laterally opposite sides of said layered assembly, each of said ear assemblies including an elastic stretchable non-permanently elongated member and an outer material layer joined to said elastic member, said outer material layer having an outside surface and an inside surface, said inside surface being secured to a corresponding surface of said elastic member when said elastic member is disposed in an extended configuration, wherein said outer material layer exhibits gathers when said elastic member is disposed in a relaxed configuration, said elastic member being extendible between a contracted configuration and an extended, non-permanently elongated configuration, said inside surface being secured to a corresponding surface of said stretchable member when said stretchable member is disposed in an extended configuration and said outside surface is disposed in a substantially planar configuration, such that said outer material layer is subsequently contractible then extendible with said stretchable member and such that said outside surface is returnable to said substantially planar configuration without permanent elongation of said outer material layer and said stretchable non-permanently elongated member.

Please cancel Claims 16 and 17.

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18. (Amended) A method of making a stretchable ear portion in a composite web structure used for forming a disposable absorbent garment, said method comprising the steps of:

providing a first layer having a front longitudinal end, a back longitudinal end and a pair of opposing lateral edges therebetween;

providing a second layer having a front longitudinal end, a back longitudinal end, and a pair of opposing lateral edges therebetween;

providing an absorbent core;

providing a stretchable member contractible from a stretched configuration to a contracted configuration;

positioning said stretchable member adjacent a first section of said first layer, said first section being located proximate one of said lateral edges and one of said longitudinal ends of said first layer and having an inside surface and an outside surface generally opposite said inside surface;

securing said inside surface to said surface of the stretchable member when said outside surface is disposed in a substantially planar configuration and said stretchable member is disposed in a stretched configuration, such that said first section is subsequently extendible with said stretchable member from a contract configuration to an extended configuration wherein said outer surface is returned unaltered to said substantially planar configuration; and

securing said first layer, said second layer and said absorbent core together to form a web structure having a central longitudinal plane and including a front region that includes said front longitudinal ends and a pair of ear portions extending in substantially opposite lateral directions with respect to said longitudinal plane, a back region including said back longitudinal ends and a pair of ear portions extending in substantially opposite lateral directions with respect to said longitudinal plane, and a crotch region disposed between said front region and said back region, whereby said stretchable member and said first section are included in one of said ear portions to form a stretchable ear portion.

Please cancel Claim 19.

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25. (Amended) A disposable absorbent garment comprising:
a layered assembly including
a topsheet
a backsheet, and
an absorbent core disposed between said topsheet and said backsheet,
said layered assembly having a first pair of elasticated ear portions and a second
pair of elasticated ear portions, each of said first and second pairs of elasticated ear portions
being joined to define a waist opening and a pair of leg openings; and
wherein each of said ear portions includes
an ear section of said topsheet having an outside surface
an ear section of said backsheet having an outside surface, and
an elastic stretchable non-permanently elongated member disposed between said
ear sections and extendible between a contracted condition and an extended, non-permanently
elongated condition, said ear sections being secured to said elastic member such that said ear
sections are extendible with said elastic member from a contracted configuration to an extended
configuration wherein each of said outside surfaces is disposed in a substantially planar
configuration and wherein said ear sections are secured to said elasticated member when said
elastic member is disposed in said extended condition, such that said ear sections are extendible
with said elastic member from a contracted configuration to an extended configuration wherein
each of said outer surfaces is returned unaltered to said substantially planar configuration without
permanent elongation of said outer material layer and said stretchable non-permanently elongated
member.

Please cancel Claim 26.

27. (Amended) The garment of Claim 25, wherein each of said ear sections has an inside surface positioned generally opposite one of said outside surfaces, said inside surface being secured to a corresponding surface of said elastic member.

33. (Amended) A method of making a disposable garment having an elasticated ear portion, said method comprising the steps of:

providing a first layer and a second layer, each layer including a front section having a first pair of ear sections, a back section having a second pair of ear sections, a crotch section extending between said front and back sections, and a longitudinal axis extending substantially centrally between said front section, back section, and crotch section, wherein said pairs of ear sections extend substantially laterally respective of said longitudinal axis;

providing an absorbent core;

providing an elastic member contractible from an extended configuration to a relaxed configuration;

positioning said elastic member adjacent a first ear section of said first layer;

securing said first ear section to a surface of said elastic member, while said elastic member is disposed in an extended configuration and while an outside surface of said first ear section is extended so as to be substantially smooth and planar, such that said first ear section is subsequently contractible and extendible with said stretchable member and returnable to the extended configuration wherein the outer surface is substantially smooth and planar, and substantially unaltered from when the first ear section is initially secured to the elastic member;

positioning said absorbent core centrally adjacent said first layer;

securing said first layer, said second layer and said absorbent core together, such that said longitudinal axes align, to form a composite structure having a front region that includes said front sections and a pair of laterally extending ear portions, a back region that includes said

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back sections and a pair of laterally extending ear portions, and a crotch region that includes said crotch sections, whereby said elastic member and said first ear section are included in one of said ear portions to form an elasticated ear portion; and

joining each of said ear portions of said front region with a corresponding ear portion of said back region to define a waist opening and a pair of leg openings.

Please cancel Claim 34.